



Nancy L. Grossman
ES&H Section Office

630.840.3810 (phone)
630.840.3204 (fax)
grossman@fnal.gov

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August 4, 2010

Mr. Mark E. Bollinger
Acting Site Manager
Fermi Site Office
U.S. Department of Energy
P. O. Box 2000
Batavia, Illinois 60510-5011

Dear Mr. Bollinger:

SUBJECT: UPDATE ON ENVIRONMENTALLY PREFERABLE PURCHASING

Reference 1: Letter, B. Chrisman to M. Bollinger, dated January 25, 2010, Subject: Fermi Site Office (FSO) Report on Environmentally Preferable Purchasing

Reference 2: Letter, M. Bollinger to B. Chrisman, dated February 25, 2010, Subject: Fermi Site Office (FSO) Report on Environmentally Preferable Purchasing

The response for the three Level 3 findings of the Environmentally Preferable Purchasing (EPP) Assessment was submitted to FSO in January of this year (Reference 1). FSO then requested an EPP status update by July 31, 2010 (Reference 2). Attached please find a summary of the progress.

Sincerely,

Nancy L. Grossman, Ph.D.
ES&H Director

cc: G. Bock, w/o encl.
B. Chrisman, w/ encl.
R. Hersemann, w/ encl.
S. Holmes, w/o encl.
Y.-K. Kim, w/o encl.
P. Oddone, w/o encl.
J. Scott, w/o encl.

ES&H File: Environmentally Preferable Purchasing, w/ encl.

Environmentally Preferable Purchasing Status Update

The following is a summary of what has been accomplished in implementing EPP at Fermilab as outlined in the EPP Assessment response (see letter, B. Chrisman to M. Bollinger, dated January 25, 2010, subject: Fermi Site Office Report on Environmentally Preferable Purchasing). This summary should enable the reader to envision what progress has been made and what lies ahead.

As mentioned in the EPP Assessment response, an ad hoc group was formed to address implementing EPP at Fermilab. Representatives initially included Environmental Officers from Technical Division, Particle Physics Division, Computing Division, Business Services Section (BSS), and Facilities Engineering Services Section (FESS) as well as two representatives from the Environment, Safety & Health (ES&H) Section, and "as needed" representation from the BSS Procurement Department. Early in the process it was identified that Executive Order 13514 specifies EPP requirements only for contracts. At that point the ad hoc group split in two: one group to address the EPP requirements for contracts (led by BSS and FESS Environmental Officers), and another to implement EPP as a best management practice for all other aspects of purchasing (i.e. outside of contracts) (led by ES&H Section).

An Environmental Monitoring Program (EMP) was approved for EPP as a best management practice (BMP) (EMP 2010005), and along with another EMP (mentioned below) replaces EMP2009008. This EMP calls for a review of Director's Policy #3, update of FESHM 5010, resources and tools to be provided to employees, and the education of employees.

- *Director's Policy #3* was reviewed and found to be adequate to support EPP implementation. This milestone was completed on March 15, 2010.
- *FESHM 5010 ES&H and NEPA Procurement Review* will be updated, but the EPP BMP group determined that EPP, as a program in and of itself, could be better implemented with its own chapter. *FESHM 5011 – Environmentally Preferable Purchasing* is currently in draft form, and available for FSO review if requested. *FESHM 5010* and *8020* will be updated to incorporate references to the new EPP chapter. The milestone date is September 1, 2010.
- Providing tools and resources to employees will almost entirely be accomplished through the new ES&H Section web pages. A specific EPP page will be available to help employees find EPP products. The EPP EMP group thoroughly researched websites that sell items commonly purchased at Fermilab. These companies offer products that meet the characteristics listed in the Environmental Protection Agency's Designated Green Product spreadsheet. Currently the new ES&H Section web pages are not posted for use. As a stop-gap, the EPP BMP group had many of the links added to the Take 5 Tools page under "Green." The milestone date is September 1, 2010, and has basically been met.
- Educating employees on EPP is accomplished in two ways. First at the ES&H Section's Earth Day Fair, one table was dedicated to educating fair-goers on the

concepts and benefits of EPP. This milestone was accomplished on April 22, 2010. The second aspect of education is formal training. A training module has been developed and is currently in draft. This will be a one-time training for all Fermilab employees who, through the ITNA process, are identified as employees who complete Purchase Requisitions. The draft training is also available to FSO for review if desired. The milestone date is August 1, 2010. Although the training is developed, it will not meet the milestone date. Training will be timed with the approval of the FESHM chapters and the posting of the EPP webpage.

Another aspect of EPP is tracking purchases for better reporting in the Pollution Prevention Tracking and Reporting System (PPTRS). Initially, Environmental Officers will be responsible for tracking purchase requisitions through the ES&H review process. Since the PPTRS requires dollars spent on EPP items as well as dollars spent on non-EPP items this manual tracking will be labor and time intensive. Therefore, a longer term goal is to modify the Oracle business systems to track these products. Unfortunately this effort requires computer programming resources that are currently unavailable, nor will they be available in the near future. However, at some point a software tracking mechanism will be utilized.

The EPP BMP group has worked hard to develop a FESHM chapter and training. The actual implementation of the program is hinged on the availability of the web pages and a suitable tracking mechanism. The timing is somewhat tricky, and still being worked out by the EPP BMP group, but the tentative milestone date for program implementation is December 31, 2010. An extension may be required.

On the contracts side of EPP, members of this group have participated in Department of Energy (DOE) conference calls and a number of other communications concerning EPP in contracts. At this time, it is not clear how DOE would like this implemented (significant contracts only vs. all contracts, etc.). This group is expecting guidance to be published in the Federal Register very soon, and will go from there. However, many of the accomplishments on the EPP BMP side are beneficial as they define the EPP program (FESHM 5011 and EPP training). An EMP for EPP Contracts has been proposed, but not finalized or approved. Once the DOE guidance is available the proposed EMP can be modified accordingly, finalized and approved. This EMP along with EMP 2010005 will be used to fully implement EPP at Fermilab.

If you have any questions regarding EPP, please contact Amber Larson at extension 2977.